



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
www.uspto.gov

DARBY & DARBY P.C.  
P. O. BOX 5257  
NEW YORK NY 10150-5257

COPY MAILED

JUL 22 2004

OFFICE OF PETITIONS

In re Application of  
Shiro Majima et al.  
Application No. 10/658,086  
Filed: September 9, 2003  
Attorney Docket No. 09868/000M893-US0

DECISION ACCORDING STATUS  
UNDER 37 CFR 1.47(a)

This is in response to the renewed petition filed under 37 CFR 1.47(a) on June 23, 2004, with a request for a three month extension of time to file.

The petition is **GRANTED**.

The above-identified application was filed on September 9, 2003, with a declaration naming Shiro Majima and Keiri Yoshioka as joint inventors and signed by inventor Shiro Majima only. A petition was filed on September 9, 2003 with the application requesting status under 37 CFR 1.47 claiming that joint inventor Yoshioka could not be located or refused to execute the declaration. The petition was dismissed in a decision mailed January 23, 2004 because the petition was not substantiated with proof that the complete application had been forwarded to non-signing inventor Yoshioka.

A grantable petition under 37 CFR 1.47(a) requires: (1) proof that the non-signing inventor cannot be reached or refuses to sign the oath or declaration after having been presented with the application papers (specification, claims and drawings); (2) an acceptable oath or declaration in compliance with 35 U.S.C. §§ 115 and 116; (3) the petition fee; and (4) a statement of the last known address of the non-signing inventor. The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). In view thereof, this application is hereby accorded Rule 1.47(a) status.

In response to the decision dismissing the petition filed September 9, 2003, a statement made by the attorney of record indicates that a complete application packet was sent by the assignee to Mr. Yoshioka and that no reply was received. Additionally, a statement provided by Tsuyoshi Sadamatsu, an officer on behalf of KONAMI, the assignee, indicates that at least on two occasions mailings including the complete application were mailed to Mr. Yoshioka, that at least one of the mailings was delivered and not returned and that several telephone calls were made to Mr. Yoshioka, some personally answered by Mr. Yoshioka and others for which there was no answer.

Thus, as provided in Rule 1.47( c), this Office will forward notice of this application's filing to the non-signing inventors at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

This application will be forwarded to Technology Center 3713 for examination in due process.

Telephone inquiries related to this decision should be directed to the undersigned Petitions Attorney at (703) 305-4497.

Patricia Faison-Ball  
Senior Petitions Attorney  
Office of Petitions